

# **EXHIBIT A**

12/06/2007 15:14 FAX 2157516980

GLAXOSMITHKLINE

+ JAN LANDWEHR

001/004

**UNITED STATES JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vrandi  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: (202) 502-2888  
Fax: (202) 502-2888  
<http://www.jpml.uscourts.gov>

December 4, 2007

**TO INVOLVED COUNSEL**

Re: MDL No. 1871 -- IN RE: Avandia Marketing, Sales Practices and Products Liability Litigation

(See Attached CTO-4)

Dear Counsel:

Attached hereto is a copy of a conditional transfer order filed today by the Panel involving the above-captioned matter. This matter is transferred pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001). Copies of Rule 5.2, dealing with service, and Rules 7.4 and 7.5, regarding "tag-along" actions, are attached for your convenience.

Inasmuch as there is an unavoidable time lag between notification of the pendency of the tag-along action and the filing of a conditional transfer order, counsel are required by Rule 7.4(b) to notify this office **BY FACSIMILE**, at (202) 502-2888, of any official changes in the status of the tag-along action. These changes could involve dismissal of the action, remand to state court, transfer to another federal court, etc., as indicated by an order filed by the district court. Your cooperation would be appreciated.

**NOTICE OF OPPOSITION DUE ON OR BEFORE: December 19, 2007 (4 p.m. EST)**  
(Facsimile transmission is suggested.)

If you are considering opposing this conditional transfer order, please review Rules 7.4 and 7.5 of the Panel Rules before filing your Notice of Opposition.

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By Dana L. Stewart  
Deputy Clerk

Attachments

JPML Form 39

Case 3:07-cv-05890-MHP Document 21-2 Filed 12/06/2007 Page 3 of 7  
12/06/2007 15:14 FAX 2157516980 BLAXOSMITHKLINE JAN LANDWEHR 002/004

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DEC - 4 2007

FILED  
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL  
ON  
MULTIDISTRICT LITIGATION

IN RE: AVANDIA MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION

MDL No. 1871

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-4)

On October 16, 2007, the Panel transferred two civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_\_\_ F.Supp.2d \_\_\_ (J.P.M.L. 2007). Since that time, 27 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Cynthia M. Rufe.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Rufe.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of October 16, 2007, and, with the consent of that court, assigned to the Honorable Cynthia M. Rufe.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffrey N. Lohmi  
Clerk of the Panel

12/06/2007 15:14 FAX 2157516980

GLAXOSMITHKLINE

→ JAN LANDWEHR

003/004

**IN RE: AVANDIA MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

MDL No. 1871

**SCHEDULE CTO-4 - TAG-ALONG ACTIONS**

**DIST. DIV. C.A. #**

**CASE CAPTION**

**CALIFORNIA CENTRAL**

CAC 2 07-7539

Patricia Gipson, et al. v. SmithKline Beecham Corp., et al.

**CALIFORNIA NORTHERN**

CAN 3 07-5886

~~CAN 3 07-5887~~

CAN 3 07-5888

CAN 3 07-5889

CAN 3 07-5890

CAN 3 07-5891

Dorothy Bone, et al. v. SmithKline Beecham Corp., et al.

James Hall v. SmithKline Beecham Corp., et al.

James Jefferson v. SmithKline Beecham Corp., et al.

George Fisher v. SmithKline Beecham Corp., et al.

Hector Thornton v. SmithKline Beecham Corp., et al.

Ivan Upshaw v. SmithKline Beecham Corp., et al.

**NORTH CAROLINA WESTERN**

NCW 1 07-374

Teresa Rumble v. SmithKline Beecham Corp., et al.

**TENNESSEE WESTERN**

TNW 2 07-2723

David Miller v. GlaxoSmithKline PLC, et al.

**TEXAS SOUTHERN**

TXS 1 07-194

Charlene Harwell, et al. v. SmithKline Beecham Corp., et al.